

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
SOUTHERN DIVISION**

	*	
UNITED STATES OF AMERICA	*	
v.	*	Crim. No. RWT-10-0029
MARCUS HERMAN MORRIS	*	

* * * * *

MOTION TO SUPPRESS EVIDENCE

The defendant, Marcus Herman Morris, through undersigned counsel, hereby respectfully moves this Honorable Court, pursuant to Rule 12(b)(3) of the Federal Rules of Criminal Procedure, to suppress tangible and derivative evidence obtained from an unlawful search and seizure on or about September 10, 2009, and as grounds therefore states the following:

1. The defendant, Marcus Herman Morris, has been charged in a one-count indictment with possession of a firearm and ammunition after having been convicted of a crime punishable by imprisonment for a term exceeding one year, in violation of 18 U.S.C. § 922(g)(1). On June 9, 2010, the defendant was arraigned and entered a plea of not guilty to the count alleged in the indictment.
2. According to discovery produced by the government, on September 10, 2009, Mr. Morris was arrested in Prince George's County, Maryland after a police officer stopped him on his bicycle. A search was conducted of Mr. Morris' person and items were seized that counsel for the defendant believes the government will offer at the trial of this case.
3. The defendant moves for the suppression of the evidence on the grounds that the evidence was obtained in violation of the Fourth Amendment.

WHEREFORE, as a result of the constitutional violations alleged herein, the defendant requests that this Court enter an Order suppressing for use as evidence all tangible and derivative evidence seized pursuant to the search executed on Mr. Morris' person on September 10, 2009, and for such other and further relief that this Court deems appropriate.

Respectfully submitted,

JAMES WYDA
Federal Public Defender
for the District of Maryland

/s/_____
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MEMORANDUM OF POINTS AND AUTHORITIES

1. Fourth Amendment to the United States Constitution

REQUEST FOR HEARING

Pursuant to Rule 105.6 of the Local Rules of the United States District Court for the District of Maryland, a hearing is requested on the defendant's motion.

/s/_____
JULIE L.B. JOHNSON
Assistant Federal Public Defender